IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 10th day of May 2005

Criminal Misc. Bail. Application No. 406/2005

Order on the bail application of accused

CRIMINAL SIDE

Saleem Military
S/o Abdul Karim
R/o Moh. Kila, Manglaur
P.S. Manglaur
District Haridwar. ……..Applicant

Versus

State of Uttaranchal ……Opposite Party

Arising out of case crime No. 65 of 2005
U/S 302/201 I.P.C.
P.S. Manglaur
District Haridwar.

Hon'ble J.C.S. Rawat, J.

Heard Sri S. P. S. Panwar learned senior counsel for the applicant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the co-accused Ahsan has already been released on bail by this Court, in which the Court has observed that the case rests upon the circumstantial evidence and the F.I.R. has been lodged after eight days of the incident. It was further observed that the F.I.R. was lodged after the disclosure of the fact by one Sattar who has the reason best known to him for keeping silence for 8 days. The same ground exists in the present case.

Keeping in view of the above, this is a case of parity and it is a fit case for bail.

Let the applicant-accused be released on bail on his executing a personal bond and two sureties each in the like amount to the satisfaction of the judicial Magistrate, Roorkee.

(J.C.S. Rawat, J.)

Dated 10.5.2005
LSR